

*Police*

## **Two New Police Discipline Cases**

By RAY HAINER

One Duxbury police officer is out on a 10-day suspension and another faces dismissal in two different cases that surfaced this week.

Duxbury Police Officer Cully Rossi may be the sec-

ond police officer fired from the department this month following the dismissal of officer Scott Myers last week.

Police Chief Mark DeLuca has recommended that Rossi be terminated. Town Manager

continued on page 9

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**Duxbury Clipper**

continued from page one

Rocco Longo is currently working on a decision in the case. He is expected to release his decision on Monday, June 30.

Rossi has refused to report for duty since December of last year, citing work-related hypertension and stress. He is currently on unpaid leave.

Rossi's attorney, Stephen Pfaff, attributed his client's health condition to a "conflict of personality" with a superior officer, whom he would not name, which arose about a year ago.

That unnamed officer is Lt. Roger Banfill, according to Town Counsel Robert Troy.

DeLuca doubts whether such a conflict of personality exists. "If there was a conflict with a superior officer, it was never brought to my attention, and I have never noticed or seen such a thing," DeLuca said.

At a just cause hearing in May, Town Manager Rocco Longo decided Rossi's condition was not work-related and referred Rossi to the town doctor, according to Pfaff.

Pfaff took issue with Longo's decision, and claims that Rossi should have been consulted by the town doctor before, and not after, the May hearing.

At a subsequent hearing earlier this month, Pfaff questioned whether Longo could serve as the hearing officer at the June 12 hearing, given that he had already decided—prematurely in Pfaff's opinion—that Rossi's condition was not work-related. "Among police officers," Pfaff explained, "hypertension is often deemed to be a work-related condition."

Hypertension is defined by the Merriam-Webster Medical Dictionary as "abnormally high arterial blood pressure," caused by either organic changes in the body (as with diabetes), or by "hereditary

tendency, emotional tensions, faulty nutrition, or hormonal influence."

Pfaff also accused Chief DeLuca of not pursuing an investigation as required, an accusation vehemently denied by DeLuca.

DeLuca's explanation for Rossi's refusal to return for work is far different from Rossi's.

According to DeLuca, Rossi's health condition originated on December 23, 2002, when Rossi's request for a day off on Christmas Eve was denied, "for obvious reasons," said DeLuca. "We're a police department that operates 24 hours a day, seven days a week."

As soon as he was denied the night off, according to DeLuca, he developed his health condition and went on injured leave. "He was stressed out because he didn't get a day off," DeLuca said.

"[Rossi] doesn't have a conflict with a superior officer, but with authority....The police department couldn't function, if everyone went home because they didn't like what they were told."

Rossi has been disciplined by the department once, about a year and a half ago, according to DeLuca. Rossi served a three-day suspension for stopping a driver outside the town's borders.

Longo's decision is expected by the end of the month. When asked under what conditions his client would agree to report back to duty, Pfaff answered, "Once the stress created by the superior officer has ceased."

In an unrelated case, Officer Dale Parks has agreed to a 10-day suspension after falsely claiming he was on duty with the Air National Guard for five days.

The suspension started Monday and will be broken into two five-day periods.

Parks does not have a significant history of discipline

problems according to Troy, although the officer did serve a five day suspension in June, 2001 for unauthorized sick time.

Parks has been with the Duxbury Police Department since May, 1997. He works in

the affirmative action office at Otis Air Force Base.

Troy said that the ongoing disciplinary problems spoke to the strength of the police department, not its weakness.

"Everyone is on notice that the rules are going to be

applied. Frankly, Chief DeLuca is carrying on with what Chief [Enrico] Cappucci did for many years in running a tight ship," he said. "You end up with a stronger force."